

# Exhibit A



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February 21, 2024

**BY CERTIFIED MAIL**

The Honorable Merrick B. Garland  
Attorney General of the United States  
United States Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530-0001

Schedule A Addressees

Re: Notice of Proposed Class Action Settlement:  
*Fund Liquidation Holdings LLC, et al. v. UBS AG, et al.*, Case No. 15-cv-5844

Dear Sir or Madam:

We write on behalf of defendant Société Générale (“SG”) concerning a putative class action lawsuit entitled *Fund Liquidation Holdings LLC, et al. v. UBS AG, et al.*, Case No. 15-cv-5844 (the “Action”), pursuant to the Class Action Fairness Act of 2005 (“CAFA”), codified at 28 U.S.C. § 1715. The Action, pending in the United States District Court for the Southern District of New York, before the Honorable George B. Daniels, involves alleged manipulation of Yen-LIBOR, Euroyen TIBOR, and the prices of Euroyen-Based Derivatives. This CAFA notice is to advise you that lead counsel for the Representative Plaintiffs in the Action filed an unopposed motion to preliminarily approve a settlement with SG and the accompanying Stipulation and Agreement of Settlement (the “Settlement Agreement”) on February 16, 2024, and the Court issued an order granting preliminary settlement approval on February 20, 2024.

SG denies any liability whatsoever, but has decided to settle the Action to avoid the risk, expense, inconvenience, and uncertainty of burdensome and protracted litigation, thereby putting this controversy fully to rest, and to obtain a complete dismissal of all claims asserted or sought to be asserted against SG in the Action and a release of all such claims. In accordance with its obligations under 28 U.S.C. § 1715(b), SG is providing to you the following documents and information on the thumb drive that is enclosed with this letter:

1. **28 U.S.C. § 1715(b)(1) — Complaint and Related Materials:** A copy of the original class action complaint and the two amended class action complaints subsequently filed in this Action, together with materials filed with those complaints, can be found on the enclosed thumb drive.

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2. **28 U.S.C. § 1715(b)(2) — Notice of Any Scheduled Judicial Hearing:** The Court did not schedule a hearing to consider the motion for preliminary approval of the proposed settlement. The Fairness Hearing to consider final approval of the settlement and entry of final judgement has been set for June 18, 2024. Please be advised that other hearings may be scheduled, but you will not receive any further notice, other than this document, regarding the scheduling of any of the hearings referred to in this paragraph. Copies of Representative Plaintiffs' motion to preliminarily approve the settlement with SG, and Representative Plaintiffs' memorandum of law in support of that motion, and accompanying materials, dated February 16, 2024, as well as the Court's order granting preliminary settlement approval, can be found on the enclosed thumb drive.
3. **28 U.S.C. § 1715(b)(3) — Notification to Class Members:** Pursuant to the preliminary approval order, Representative Plaintiffs' counsel shall submit a notice plan to the Court for approval. The Plan of Distribution is among the materials that Representative Plaintiffs filed on February 16, 2024 in this Action and can be found on the enclosed thumb drive.
4. **28 U.S.C. § 1715(b)(4) — Class Action Settlement Agreement:** A copy of the Settlement Agreement is included on the enclosed thumb drive.
5. **28 U.S.C. § 1715(b)(5) — Any Settlement or Other Agreement:** Please be advised that the parties to the Settlement Agreement have also entered into a confidential supplemental agreement, which is referred to in paragraph 23 of the Settlement Agreement. The supplemental agreement sets forth certain conditions under which SG shall have the unilateral option to terminate the Settlement if a certain agreed-upon threshold of settlement class members opt out of the Settlement. As further described in the Settlement Agreement, the settling parties agreed to maintain, to the extent permitted by law, the confidentiality of the terms of the supplemental agreement which, unless otherwise ordered by the Court, shall not be filed with the Court. It is common for agreements of this nature to remain confidential because "knowledge of the specific number of opt outs that will vitiate a settlement might encourage third parties to solicit class members to opt out." Manual for Complex Litigation (4th ed.) § 21.631.
6. **28 U.S.C. § 1715(b)(6) — Final Judgment:** Final judgment has not been entered, and no notices of dismissal have been filed.
7. **28 U.S.C. § 1715(b)(7)(A)-(B) — Names of Class Members/Estimate of Class Members:** Although the process of identifying potential settlement class members has begun, pursuant to 28 U.S.C. § 1715(b)(7)(A), at this time a complete list of names and states of residence of the settlement class members is not available. It is also not yet feasible to provide a reasonable estimate of the number of settlement class members residing in each state, or the estimated proportionate share of the claims of such members to the entire settlement. *See id.*; *see also* 28 U.S.C. § 1715(b)(7)(B). Representative Plaintiffs in this case have estimated that there are thousands of members that fall within the definition of the settlement class. Only after the claims administrator calculates each settlement class

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member's allocation of the net proceeds of the Settlement Amount pursuant to the Distribution Plan will any proportionate recovery be subject to calculation—and even then, only based on the identity of settlement class members who submit Proof of Claim Forms. As a result, SG is unable at this time, and absent completion of the contemplated claims processes, to provide a reasonable estimate of the number of settlement class members residing in each state or the estimated proportionate share of the claims of such members.

8. **28 U.S.C. § 1715(b)(8) — Judicial Opinions Related to the Settlement:** There are no written judicial opinions related to the Settlement.

The foregoing information is provided based on the status of the proceedings at the time of this notification and on the information currently available to SG. If for any reason you believe that the enclosed information does not fully comply with 28 U.S.C. § 1715, please contact Mayer Brown LLP so that SG can address any concerns or questions you may have.

Sincerely,



Andrew J. Calica

*Counsel for Société Générale*

cc (w/o encl.): Hon. George B. Daniels (via ECF)  
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